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Wednesday, 3 November 1993 at 10 a.m.

NEW YORK

President: Mr. INSANALLY (Guyana)

The meeting was called to order at 10.25 a.m.

AGENDA ITEM 127 *(continued)*

SCALE OF ASSESSMENTS FOR THE APPORTIONMENT OF THE EXPENSES OF THE UNITED NATIONS (A/48/414/Add.8)

The PRESIDENT: In a letter contained in document A/48/414/Add.8, the Secretary-General informs me that, since the issuance of his communications dated 21, 24, 27 and 29 September and 4, 6, 11 and 14 October 1993, the Comoros has made the necessary payment to reduce its arrears below the amount specified in Article 19 of the Charter.

May I take it that the Assembly duly takes note of this information?

It was so decided.

AGENDA ITEM 30

NECESSITY OF ENDING THE ECONOMIC, COMMERCIAL AND FINANCIAL EMBARGO IMPOSED BY THE UNITED STATES OF AMERICA AGAINST CUBA

(a) REPORT OF THE SECRETARY-GENERAL (A/48/448 and Add.1)

(b) DRAFT RESOLUTION (A/48/L.14/Rev.1)

The PRESIDENT: I call on the representative of Cuba to introduce draft resolution A/48/L.14/Rev.1.

Mr. REMÍREZ DE ESTENOZ BARCIELA (Cuba) *(interpretation from Spanish)*: Once again, Cuba had hoped that the reasons for the discussion and consideration of this item would have disappeared. But this is not so. Today, one of the longest-lasting injustices of modern history continues to be committed against Cuba. This is something which, without any doubt, deserves attention here in the United Nations.

Less than a year ago, the General Assembly, in resolution 47/19, stated the need to put an end to the economic, trade and financial embargo which has been imposed by the Government of the United States against Cuba for more than 30 years. In so doing, it took account of the extraterritorial effects of laws and regulations promulgated and applied by the United States. It considered the matter an act of aggression by an economic, military and technological Power against a small country - an act contrary to the rules of international law and to the principles enshrined in the Charter of the Organization. It also noted the severe impact of these actions on the Cuban people.

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Despite the explicit will of the international community, the Government of that major Power has nevertheless moved to promulgate, apply and strengthen laws and measures relating to the embargo that had been rejected by the General Assembly.

In the last 11 months, we have witnessed legislative, regulatory, covert and defamatory actions - even acts of coercion and blackmail - against third countries, as part and parcel of a broad plan of aggressive actions by the United States against Cuba.

The so-called Torricelli Act, strongly condemned by delegations that participated in the debate last year and rejected in official statements by many countries and groups of countries, still remains in force in the United States legal system; it is already being applied in accordance with regulatory provisions.

It is common knowledge that on 4 July, the Government of the United States instructed federal agencies to adopt all measures on extraterritoriality, in keeping with the so-called Torricelli Act.

Official documents of the General Assembly describe the promulgation of new legislation by the United States Congress to make a country's eligibility to receive assistance from the United States predicated upon its economic relations with Cuba, in spite of the legitimate and sovereign rights of countries, as established by international norms. Such an extension of the extraterritorial application of the embargo can be seen in the clauses adopted on 16 June by the House of Representatives in the Foreign Aid Authorization Act of 1993.

With these procedures, the Washington Administration has further expanded the extraterritorial character of its economic measures against Cuba which infringes upon the sovereignty of third countries and the right to enjoy freedom of trade and navigation guaranteed under international law.

The Cuban delegation has reported on a number of specific actions demonstrating that, because of the embargo, important economic transactions between Cuba and third countries have been hindered. The need for discretion has prevented us from divulging all available information. Nevertheless, information officially and unofficially circulated confirms that there are many actions of this kind violating the established principles of sovereignty, freedom of trade and navigation, and transgressing other internationally recognized legal regulations.

It is not only the essence and the extraterritoriality of this policy but also its impact on the life of the Cuban people that should be rejected and condemned by the international community. It is difficult to understand that there could be a passive attitude to this policy when what is involved is the very survival and future of millions of people, including children, whose only crime is to have been born in a country determined to be free, independent and master of its own fate.

The United States Government has tried to create the impression that the so-called Torricelli Act is easing the embargo and its impact on the Cuban population. It has publicly lied about alleged attributes of the Act facilitating humanitarian assistance and mitigating other aspects of the embargo. But we have provided delegations with sufficient examples of the economic and social impact of the Torricelli Act that prove the contrary.

There are documents demonstrating persistent attempts by the United States to prevent Cuba from buying medicines that are scarce in the country. The restrictions impeding the sale of medicines to Cuba by United States companies are being maintained. Similarly, the obstacle preventing any company from any part of the world from selling to Cuba either medicine, equipment or medical supplies having components or using technology of United States origin remains in place.

This past June, representatives of the United States Government recognized that applying this legal instrument has resulted in a 15 per cent increase in the cost of Cuba's foreign economic relations.

It is paradoxical that the stronger the rejection of this embargo on the part of Governments, men and women, official and non-governmental organizations reflecting the most diverse strata of human thought, including wide sectors of United States society, the more persistent the United States Government is in its resolve to maintain, in absolute isolation, this anachronistic policy against my people.

The Secretary-General himself has pointed out in his report (A/48/448) that over 120 non-governmental organizations have written to the Secretary-General urging an end to the embargo. This does not include the tens of thousands of letters sent by people from all over the world also calling for an end to the embargo.

Clearly, the fact that the cornerstone of United States foreign policy on Cuba is an economic embargo causing suffering for almost 11 million human beings is something that people reject. There are no pretexts, there can be no reasons justifying this crime or exonerating those

responsible for it. One wonders why common sense, initiative or pragmatism have not prevailed here.

Over the years, many different arguments have been used to try to justify the embargo, some of them completely in contradiction to the principles which gave birth to this Organization and many of them contradicting each other. Each and every one of those arguments has been refuted or disproved time and again, and the international community has enough information available to it on this issue to draw its own conclusions.

A year ago, the United States Government, attempting to defend its position here in the Assembly, used four pretexts.

First, it alleged that the embargo is a response the nationalizations carried out by Cuba 33 years ago. Nationalization was also carried out by many other third-world countries in their endeavour to achieve economic independence. The truth is that the United States, unlike the other countries affected by nationalization, refused to accept or even to negotiate the compensation terms offered by the Cuban Government since 1960.

Secondly, the United States claimed this was a matter to be dealt with in bilateral relations between the United States and Cuba. Nothing is further from the truth. What this is all about is unilateral aggression by the United States affecting relations between Cuba and third countries, thus hindering the natural development of international relations, curtailing the legitimate rights of third countries and threatening the peace and security of a sovereign State Member of this Organization.

Thirdly, it was asserted that the blockade is being applied with the aim of bringing about in Cuba political and economic reforms to the liking of the United States, as if that were a legitimate reason to use hunger and misery in an attempt to suffocate our people. Obviously, there is no legal principle or political standard that can justify that purpose.

Finally, the United States delegation stated that the problems facing Cuba today derive from internal causes that have nothing to do with the blockade. But all delegations have sufficient information to understand what the blockade costs the Cuban economy and Cuban society. It has been shown that not a single economic or social aspect of our situation escapes the consequences of the blockade; that is, after all, the declared objective.

In addition to the blockade, Cuba is facing other challenges in its development struggle. The dramatic and unexpected rupture of its traditional foreign economic links, the need to make changes to insert Cuba into a changing and inequitable world economy, and underdevelopment itself, all add to the difficulties my country is facing. But of all those factors the only one that continues to exist because of the will of another Government whose declared objective is to harm us, and the only one that could be made to disappear by a political act, is the economic blockade.

If the United States authorities are so sure that our problems are internally created and inherent to our country, then why do they continue and even strengthen the blockade? Let the will of the international community prevail; let the blockade be lifted; let Cuba evolve by itself, in peace, under the same rules and with the same freedom of action as any other State.

Cuba has taken the sovereign decision to carry out broad and profound transformations that will open up our economy, with a view to its full reinsertion into the international market and international economic relations. That process has preserved and always will preserve the independence of our country and the enormous social achievements attained since 1959.

My people hopes to achieve its aspirations without pressure or blackmail, to ensure the future of our country, including normal relations with all States without exception. It is therefore critically important to eliminate the major obstacle to this process.

We hope that a new United Nations decision on this matter will lead to increased awareness of the current unjust policy against Cuba and help put an end to it. For, tomorrow, such a policy could become an instrument of coercion against any other small and underdeveloped State.

Hence, we have submitted a draft resolution promoting principles recognized by almost all States represented here. The draft resolution is contained in document A/48/L.14/Rev.1, which we are honoured to introduce, and which has been duly issued in all the official languages of the Organization. We are confident that it will be adopted by this Assembly.

Everyone is well aware of the special nature of our consideration of this item. It is no secret that pressure has been exerted on sovereign Governments not to commit their vote in favour of a cause that is so clearly a just one.

The decision to be taken today by the General Assembly is fundamental to the very essence of the United Nations, as it pertains to the principles that constitute the foundation of the Organization. This decision is of vital

importance for mankind, since it is inextricably linked to a nation's right to life, independence and existence itself.

Mr. SARDENBERG (Brazil) *(interpretation from Spanish):* I have the honour of addressing the General Assembly in my capacity as Secretary *Pro Tempore* of the Ibero-American countries.

The 21 Ibero-American countries have a long-standing tradition of respect for the principles and rules of international law and for the sovereignty of States. Those are the principles that guide the Ibero-American countries in their consideration of the draft resolution that has been submitted under agenda item 30. Extraterritorial elements of recent national legislation have given rise to serious concerns; these concerns stem primarily from the restrictions imposed on the basic principles of freedom of trade and navigation, principles that are articulated in many international legal instruments.

The text of the Final Document of the third Ibero-American Summit of Heads of State and Government, held at Salvador, Brazil, on 15 and 16 July 1993, has been annexed to document A/48/291. It reflects the full commitment of the Ibero-American countries to building an international community in which cooperation will prevail over confrontation. In that document, the Ibero-American Heads of State and Government noted

> "the resolutions recently adopted in international forums on the need to eliminate the unilateral application of economic and trade measures by one State against another for political purposes." *(A/48/291, annex, para. 68)*

The Ibero-American countries have consistently favoured the creation of a climate conducive to overcoming differences. It is our sincere hope that the current international trends towards dialogue, understanding and cooperation will prevail over long-standing differences. To that end, a climate of mutual respect and full compliance with the rules of international law would certainly contribute to strengthening peace and harmony between nations.

Mr. TELLO (Mexico) *(interpretation from Spanish):* The criteria guiding Mexico's international activities and the value we attach to them can be understood only in the context of our historical experience as a nation. The struggle to achieve, consolidate and defend our independence has led us to attach key significance to sovereignty.

We have been and remain a nation dedicated to broadening and deepening our ties of friendship and cooperation with all the peoples of the world. We are convinced that dialogue, concerted action and negotiated political settlement are the best possible means of achieving understanding. The legal equality of States, the self-determination of peoples, non-intervention in internal affairs, and respect for sovereign rights are the basic principles of international coexistence and remain fully valid.

The principles of international law are also the mainstays of the Charter of the United Nations, an organization born of a legitimate collective desire to place international relations within a framework of rationality, order and legality. The rule of law is the basis on which the coexistence of nations is governed.

As is true for all nations, it is solely up to Cuba and its people to define their own paths towards higher and better states of development. We recognize the efforts that have been made to modernize their methods of work and structures with a view to their integration into the new trends in the world economy. At the same time, we are neither unaware of nor insensitive to the Cuban people's increasing difficulties as regards health and nutrition.

Even amid countless contradictions and uncertainties, a new atmosphere of understanding is struggling to emerge following the end of the cold war. Agreements that were once unimaginable are now sealed with a handshake. This is the path to which we must pledge ourselves.

Adherence to international law is the only way to guarantee peaceful coexistence among countries. The observance of multilaterally accepted norms gives certainty to relations between States, just as it gives peace and coexistence their best possible framework for development.

For these reasons, my Government will vote in favour of the draft resolution contained in document A/48/L.14/Rev.1.

Mr. KITTIKHOUN (Lao People's Democratic Republic) *(interpretation from French):* On 24 November 1992 this Assembly adopted resolution 47/19, on the necessity of lifting the economic, commercial and financial embargo imposed against the Republic of Cuba. Following the adoption of that resolution, more than 30 sovereign States solemnly declared that they had taken no legislative or normative measures of the type mentioned in the resolution. The legitimacy of the cause stirred great hopes that the resolution would be fully implemented by all the States Members of our Organization. However, to my delegation's great regret, the embargo against the Republic of Cuba has been reinforced this year.

The Lao People's Democratic Republic considers that the embargo has a great impact on the standard of living of the vast majority of the Cuban population and, above all, that it would not contribute in the least to the Cuban people's efforts to integrate their country more fully into international economic structures. In view of its obligations under the United Nations Charter and international law, my country, the Lao People's Democratic Republic, has never promulgated or applied laws or measures of the type mentioned in draft resolution A/48/L.14. In our view, such measures constitute an attack on the sovereignty of other States and on freedom of commerce and navigation.

In this new era, when the spirit of cooperation between States holds sway, it would be more than prudent for the two countries concerned to enter into negotiations based on the principles of equality and mutual respect in order to resolve peacefully their differences, which date back more than 30 years. That dialogue, for which we earnestly appeal, would not only be in line with the trend prevailing in the world today but would also respond to the wishes of their two peoples.

The delegation of the Lao People's Democratic Republic sincerely hopes that this question will be resolved swiftly, fairly and honourably, with due account taken of the legitimate interests of the two peoples and in the interest of regional and world peace.

The PRESIDENT: I should like to propose, if there is no objection, that the list of speakers in the debate on this agenda item now be closed.

It was so decided.

Mr. NGO QUANG XUAN (Viet Nam) *(interpretation from French):* First of all, on behalf of my delegation, I should like to thank the Secretary-General for the report (A/48/448 and Add.1) that he has submitted in accordance with resolution 47/19, adopted by the General Assembly at its forty-seventh session, in respect of the agenda item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba".

In the debate on this agenda item, the delegation of Viet Nam would like first to reaffirm that Viet Nam's foreign policy has always been guided by the fundamental principles of relations between States, in accordance with international law and the United Nations Charter, to wit: respect for national independence, sovereignty and territorial integrity; respect for the right to self-determination, including the right to choose one's own path of development; non-interference in the internal affairs of other States; and the political will to settle disputes through peaceful negotiations.

Secondly, we wish to express our deep concern on seeing one country impose its will on another. In the view of our delegation, such an imposition not only jeopardizes relations between nations but also runs counter to the spirit of the world's new era, in which development, equality, justice, peace and democracy should prevail.

The end of the cold war, the passing of the East-West confrontation and the strong trend towards democratization of relations in and among States have opened the way to new hopes for living in peace, for mutual understanding and for cooperation between nations.

This new international political climate has strengthened the determination to use peaceful negotiations to find solutions to persistent military conflicts as well as to the differences and disputes inherited from the past. Significant success has been achieved in certain regions. In our view the same approach could be applied in the quest for a reasonable and fair solution to the question of relations between Cuba and the United States. The resumption of dialogue between those two countries could make it easier to solve the outstanding problems in conformity with the principles of international law and the United Nations Charter.

The delegation of Viet Nam believes that it is not right that relations between Cuba and the United States have not yet been normalized, after more than 30 years. It is even more regrettable that at present these relations are subjected to new trade restrictions. These restrictions are affecting not only the interests of Cuba but also the interests of a number of other countries, as is indicated in the Secretary-General's report. Many countries have, in different ways, expressed their concern about the adverse effects of the Cuban Democracy Act of the United States on their trade interests.

In this spirit, the international community has made repeated appeals in this regard. The Non-Aligned Movement, of which Viet Nam is a member, has at many meetings repeatedly asserted that the use of force in inter-State relations and the application of laws and measures which have extraterritorial effects are inadmissible. The Tenth Summit of the Movement, held in Jakarta in 1992, also addressed an appeal to the United States to end the economic, commercial and financial blockade of Cuba, and urged the two countries to enter into negotiations in order to resolve their dispute.

In conclusion, I wish to express our firm conviction that this discussion today and the draft resolution presented

by Cuba for the consideration of the Assembly reflect the interests of all States Members of the Organization.

Mr. WISNUMURTI (Indonesia): I deem it an honour to deliver this statement on behalf of the non-aligned countries.

It is with deepening concern that we have noted the differences between Cuba and the United States which have persisted for over three decades. Since last year the relationship has further deteriorated due to the promulgation of national legislation with extraterritorial dimensions. Consequently, Cuba is facing an economic crisis of unprecedented proportions.

With the Cuban economy already reeling from the fundamental changes that have swept Eastern Europe and a drastic cut-off in aid, the unrelenting hostility has heightened tension in the region. Further aggravating the situation is the imposition of an embargo on trade which seeks unilaterally to restrict economic and commercial relations to the detriment of the interests of many Member States. Punitive economic measures have profoundly affected the living conditions of the people of Cuba and severely impeded their development efforts. We are concerned that the continuing pressure and isolation is fraught with potentially disastrous consequences.

In the context of the interdependence of nations and interlinkage of issues, the strengthening of international cooperation for development has now become an imperative. We share the widely expressed view that in the post-cold-war era, no nation should be deprived of the opportunity to participate freely and without hindrance in economic, commercial and financial relations between nations. To erect barriers in this regard is incompatible with the objective of establishing a new and equitable international order for stable peace and common security and for economic and social justice.

We are gratified to learn from the report of the Secretary-General in document A/48/448 and Add.1 that many Member States have refrained from adopting laws or measures to strengthen or extend the embargo in question.

Cuban-American relations call for a new and fresh approach taking into account the profound transformation that has taken place on the global scene, including the Latin American region, where we have witnessed an end to conflict, the strengthening of security, and political, economic and social development. In this context, the repeal of the law adopted last year would facilitate the reintegration of Cuba into regional and international economic life, leading ultimately to the stability of the region. It would also be in conformity with the United Nations Charter, the principles of international law and the sovereignty of nations. At this juncture, we cannot turn away from those precepts and norms.

We hope that renewed consideration of this item and broad support for the draft resolution during this session will spur the parties concerned to resolve this issue through dialogue and negotiation which will promote economic and social advancement in an atmosphere of peace and tranquillity.

Mr. ELHOUDERI (Libyan Arab Jamahiriya) *(interpretation from Arabic)*: Economic blockades and similar coercive measures which some States see fit to impose on other States are among the causes of tension in international relations. They also run counter to the principles of international law and the relevant United Nations resolutions, including General Assembly resolutions 38/197, 39/210, 40/185, 44/215 and 46/210.

In those resolutions the General Assembly called upon all Member States to refrain from threatening to impose or imposing trade restrictions, blockades, embargoes or any other economic sanctions against developing nations, as such measures run counter to the provisions of the United Nations Charter and breach multilateral and bilateral undertakings.

Article 32 of the Charter of Economic Rights and Duties of States, which was adopted by the General Assembly at its twenty-ninth session, states that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights. In that connection, the seventeenth Ministerial Meeting of the Group of 77 held here in New York last month called upon States to refrain from taking economic measures against developing countries and from employing such means to coerce other States.

General Assembly resolution 47/19, adopted by the Assembly at its last session, was based on that global consensus, which clearly demonstrates the international community's clear rejection of the coercive approach in international relations. Resolution 47/19 clearly reflects the international will that States resolve their disputes in compliance with the purposes and principles enshrined in the Charter and the norms of international law. The resolution urges States that have such laws and measures to take the necessary steps to repeal or invalidate them.

The adoption of resolution 47/19 gave rise to new hope for new prospects of ending the economic, commercial and financial embargo against Cuba. Nearly a year has passed since the resolution was adopted, and yet

all available indications give the impression that no steps have been taken to respond to its provisions. To the contrary, such indications show conclusively that the policy of pressure, embargo and boycott continues to be pursued and that there is renewed determination not only to keep it in place but also to enforce it more vigorously. This was highlighted by the Foreign Minister of Cuba in his statement to the General Assembly on 4 October 1993, wherein he indicated that his country was facing yet more pressures and that the past few months have witnessed a tendency to keep the existing blockade in place and to step it up.

The economic, commercial and financial embargo that has been in place against Cuba for more than 30 years now has had dire consequences for the Cuban people. As indicated in document A/48/463, the embargo has had an extremely negative impact on Cuba's economic and social development, and especially on the population's standard of living.

My delegation well understands the consequences of such embargoes, for we in Libya continue to suffer under similar measures which have been imposed upon us for more than a decade and which continue to be in place. The serious consequences of those measures have been exacerbated by the sanctions imposed on the Libyan people by Security Council resolution 748 (1992), for reasons that are not commensurate with the legal dispute between the Libyan Arab Jamahiriya and the other three States.

Respect for the sovereignty States and non-interference in their internal affairs, the promotion of dialogue, the avoidance of confrontation and the resolution of disputes by peaceful means in conformity with the norms of international law and international conventions are the fundamental principles upon which we may hope to build an international community wherein justice, equality and fairness would prevail. My delegation feels that such positive tendencies which should have been strengthened as a result of the changes that have taken place in international relations should become all-embracing and should induce countries to refrain from resorting to the sort of political and economic measures of coercion that are being used against Cuba and other States in pursuance of political designs. Should the countries concerned respond positively to this call, they will not only help promote global economic growth but will also strengthen the underpinnings of constructive international cooperation and thereby usher in an era of friendly relations that would promote peace, security, confidence-building, tranquillity and cooperation amongst all peoples of the world.

Mr. NYAKYI (United Republic of Tanzania): Allow me at the outset to associate my delegation with the statement made a short time ago by the representative of Indonesia speaking on behalf of the States members of the Movement of Non-Aligned Countries.

In my own additional remarks I should like to begin by expressing my delegation's appreciation of the Secretary-General's report (A/48/448 and Add.1) of 28 September 1993, which contains the replies of Member States concerning the implementation of General Assembly resolution 47/19. The report is both reassuring and disheartening. Of the 33 replies reproduced in the report there is not one that reports compliance with the controversial law that imposes an unjust embargo on Cuba and seeks to extend the application of United States national laws to third countries. This is reassuring, and the General Assembly should welcome this positive outcome of the Secretary-General's efforts to implement the resolution.

However, the report also contains disappointing news. Not only has the call upon Member States to refrain from promulgating and applying laws and measures of the kind imposed on Cuba been totally ignored, but new laws and measures have been introduced. Since the adoption of the resolution the scope of the embargo has been extended to cover shipping. Other measures to strengthen the embargo have also been taken at the national, as well as at the local, level. In other words, the embargo has been widened, tightened and intensified at every level.

The report also reveals attempts to influence countries and international institutions in various ways - including persuasion and intimidation - to violate the terms of General Assembly resolution 47/19. In short, every effort appears to have been made to raise the cost to third countries of economic and commercial cooperation with Cuba.

The inclusion in the embargo of medicines and medical supplies and humanitarian aid is particularly hard to understand. If there is no justification for the entire embargo, what can we say about the inclusion on its list of items that even a Chapter VII action against the most dangerous and recalcitrant regime would exempt?

The overwhelming support given General Assembly resolution 47/19 was a loud and clear rejection by the international community of the embargo against Cuba and of the pressures exerted on third countries to withhold cooperation from Cuba. As my delegation made clear in its statement on this agenda item last year, the embargo is a violation of the provisions of Article 1 of the United Nations Charter, paragraph 2 of which stipulates that the

fundamental purpose of the United Nations is the development of friendly relations among nations based on respect for the principles of equal rights and self-determination of peoples.

To the list of General Assembly resolutions that the embargo violates, which my delegation cited in its statement last year, must now be added resolution 47/19. A State may choose which countries to trade with or not to trade with. This is its right, and it is not in dispute. But no country has a right to prevent others from engaging in lawful economic and commercial relations with countries that it does not like. Action to the contrary is a violation of international law governing the conduct of relations between States.

As many delegations emphasized in the debate on this item last year, and as many have repeated in this debate, negotiations are the only sensible way to resolve the differences between the United States and Cuba. It is the understanding of my delegation that Cuba has always expressed its readiness to meet with the United States over these differences. In this connection, I should like to use this occasion to echo the appeal to the United States - made in the general debate by, among others, the delegations of Namibia, Barbados and Guyana - to summon the necessary political will to initiate, or agree to, negotiations with Cuba. It needed Norway to do the seemingly impossible - to bring the Palestinians and the Israelis to the conference table. We need a Norway to bring the United States and Cuba to the conference table.

In the post-cold-war era the United States has been at the forefront of the international campaign for the peaceful resolution of disputes through dialogue and negotiations. It is now our duty at the United Nations to hold up a mirror in front of the United States. My delegation views this debate and the draft resolution that we are about to adopt - A/48/L.14/Rev.1, which we fully support - as the mirror that will enable the United States to take a hard look at a policy that only antagonizes friend and foe alike, and to take the only sensible route out of the dilemma - that of negotiations.

Mr. PAK (Democratic People's Republic of Korea): A year ago we discussed the same item as we are considering now, and adopted a resolution, in the hope that this issue would be resolved in accordance with the expectations of the international community. To date, however, the United States has not taken the necessary measures to implement the resolution - a point that has been made today by several representatives.

The continuous embargo against the Cuban people is creating enormous economic difficulties and is putting serious constraints on Cuba's social and economic development. The international community cannot simply ignore the economic difficulties and material loss forced upon Cuba, a Member State of the United Nations, by the economic, commercial and financial embargo imposed by the United States, another Member State.

As is well known, for the past 30 years the United States has put pressure on Cuba with a view to foisting its own political and economic system on that country through the imposition of an economic, commercial and financial embargo. As history shows, nobody can justify the imposition of economic embargoes by big Powers against small countries irrespective of their scale or modality.

The Torricelli Act, enacted by the United States two years ago in its effort further to strengthen the economic embargo against Cuba, is aimed at forcing the will of the United States on other countries. Its adoption is a flagrant violation of the Charter of the United Nations, which stipulates the development of friendly relations between States, based on respect for the principles of equality and sovereignty, and of international law, which requires freedom of trade and of navigation. The delegation of the Democratic People's Republic of Korea considers that the United Nations should give the Act due attention and take the necessary steps.

All countries should carry out their duties under the Charter and international law, respect the right of Member States to choose their own political and economic systems and refrain from interfering in the internal affairs of other countries. In this connection, the delegation of the Democratic People's Republic of Korea reiterates its support for the final document of the Tenth Summit Meeting of non-aligned countries, which calls for the ending of the economic, commercial and financial embargo against Cuba.

The cold war has given way to a new era in which humankind is developing economic cooperation to create a free and peaceful new world community transcending differences of ideas and systems.

The delegation of the Democratic People's Republic of Korea calls upon the United States, as a member of the international community, to end the economic embargo against Cuba, imposed with a view to isolating that country politically and stifling it economically. We also call upon the United States to implement resolution 47/19, in keeping with the trend of the era.

Mr. RAHMAN (Malaysia): Malaysia fully endorses the statement of the representative of Indonesia, who spoke in his capacity as representative of the Chairman of the Non-Aligned Movement. That statement duly reflects the position taken on this issue by the leaders of the Non-Aligned Movement at their Jakarta Summit last year.

As was stated in the debate on this subject last year, Malaysia believes that the matter can best be settled between the two countries involved. At the same time, Malaysia recognizes Cuba's right to appeal to the United Nations, particularly on an issue involving extraterritoriality that impinges on the fundamental principles of international law and runs counter to a number of General Assembly resolutions adopted over the years. Malaysia believes that making international law prevail must be a fundamental commitment of all nations, irrespective of size or development status. As Members of the United Nations, we are all obliged to support the fundamental principles of international law.

The sharp edges of confrontation epitomized by two ideologically opposed blocs have given way, with the end of the cold war, to increased dialogue and cooperation in the conduct of inter-State relations as well as in multilateral diplomacy. This is evident within the Assembly itself, where more and more resolutions are being adopted by consensus. Seemingly intractable age-old problems have witnessed dramatic developments, giving rise to hope for peace, stability and development. All these have boosted international relations increasingly in the direction of cooperation and away from confrontation.

It is in the interest of upholding the principles of international law and promoting peaceful and friendly relations between nations during this important period of change in the affairs of the world that Malaysia will vote in favour of the draft resolution before us.

It is our sincere hope that the adoption of this draft resolution by the General Assembly will lead to developments that will positively influence the issue at hand and bring in its wake significant benefits to the region as a whole.

Mr. PONCE (Ecuador) *(interpretation from Spanish)*: My delegation agrees with and endorses what was said by the representative of Brazil, Ambassador Sardenberg, speaking on behalf of the Ibero-American Group on the agenda item under consideration.

My country bases its international policy on the promotion of strict respect for international law. We jealously defend the principles on which it is based, those that promote friendly and progressive relations among peoples. Accordingly, we restate our support for the non-use of coercive measures in relations among States and our approval of the draft resolution before us.

Further, Ecuador wishes to place on record its explicit support for the fundamental principle of promotion and observance of human rights, as enshrined in the Charter of the Organization, and for the regional commitment to affirm democracy. We express our hope that this system of Government will soon be broadly applied throughout our continent.

Mr. MUMBENGEGWI (Zimbabwe): Zimbabwe would like to associate itself fully with the statement made by the Permanent Representative of Indonesia in his capacity as Chairman of the Non-Aligned Movement.

The end of the cold war brought with it the end of ideological confrontation which had characterized conflicts around the world. We have witnessed the resultant easing of tensions in southern Africa, the Middle East and elsewhere around the world, where the current efforts towards the peaceful resolution of disputes were virtually unthinkable only a few years ago.

Since the present relationship between Cuba and the United States has its origins in the cold war confrontation, the international community would have hoped that the demise of the cold war would have had a more positive influence on that relationship.

Universal economic measures against any State can be imposed only by collective international enforcement action through the United Nations. In the absence of any such enforcement action, all countries should be free to carry out their economic, commercial and financial transactions freely.

Apart from these important provisions of international law, Zimbabwe is particularly concerned at the devastating effect that the economic embargo against Cuba is having on the humanitarian situation in that country. As is always the case in such situations, the principal sufferers are the most vulnerable groups, such as children, women and the elderly.

It is our hope that in the new post-cold-war climate, where confrontation is increasingly giving way to dialogue, some way will soon be found to resolve the present issue through negotiation and dialogue.

Mr. ABOLHASSANI (Islamic Republic of Iran): Today inter-State relations and interdependency among States are bound not only by freely accepted obligations but also by the generally accepted principles of

international law. The principles of sovereign equality of States and of non-intervention and non-interference in internal affairs of other States are fundamental principles of international law that form the cornerstones of contemporary international relations. Numerous international instruments, such as the Charter of the United Nations, the Manila Declaration on the Peaceful Settlement of International Disputes, and the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, have emphasized respect for these principles.

The continuation of the economic, commercial and financial embargo imposed by the United States Administration against Cuba, which has inflicted enormous material losses and economic damage upon the Cuban people and Government, runs contrary to the purposes and principles of the Charter and international law. We regretfully note that, since the adoption of resolution 47/19, further measures aimed at strengthening and extending the economic, commercial and financial embargo against Cuba have been promulgated and applied.

Just a few weeks ago, this body unanimously adopted its second resolution on the Secretary-General's report entitled "An Agenda for Peace", in which the General Assembly

> "***Recalls*** that each State has the right freely to choose and develop its political, social, economic and cultural systems". (*resolution 47/120 B, section V, para. 3)*

My delegation, while reaffirming this legitimate right of all people, would like to urge all States once more to abide by their obligations under United Nations resolutions and more generally by international law. It is incumbent upon the United Nations, as the largest world Organization, to do whatever it can to end the economic, commercial and financial embargo against Cuba in conformity with its Charter and resolutions in order to foster the rule of law in international relations.

Finally, it should be recalled that the peaceful settlement of international disputes has been emphasized ever since the United Nations came into existence. In meeting these expectations, all countries should refrain from acting to contravene in any way the provisions of the United Nations Charter.

Cognizant of the difficulties the Cuban nation is facing as a result of the embargo, my delegation at this juncture would like to extend its support for any step the General Assembly may wish to take regarding the issue under consideration. The international community should not remain silent in situations in which any State intends to undermine the economic or political stability of another State or to impose specific political or economic structures on it. International peace and security certainly cannot be achieved by giving legitimacy to the notion that might is right.

The PRESIDENT: We have heard the last speaker in the debate on this item.

We shall now proceed to consider draft resolution A/48/L.14/Rev.1. Before calling on the first speaker in explanation of vote before the voting, may I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. NOTERDAEME (Belgium) *(interpretation from French)*: The opposition of the European Community and its member States to any extraterritorial application of national legislation is beyond question. That is why we have always rejected the United States actions aimed at involving third States in the application of commercial measures that fall exclusively within the foreign or security policy of the United States. We are therefore opposed to United States legislative initiatives, including the "Cuban Democracy Act", designed to strengthen the trade embargo against Cuba by means of extraterritorial application of United States laws. We believe that such measures violate the general principles of international law and the sovereignty of independent States.

Although we strongly favour a peaceful transition to democracy in Cuba, we cannot accept that the United States should unilaterally undermine our economic and trading relations with any country whatsoever. The European Community and its member States are of the opinion that the United States embargo against Cuba should be first and foremost a bilateral problem between the United States and Cuban Governments. The European Community and its member States will bear these concerns in mind when making their decision on the draft resolution before us.

Mr. STRAUSS (Canada): We supported resolution 47/19 last year, as it focused solely on the extraterritorial aspects of the United States embargo and thus embodied legal principles that Canada believes must be respected.

However, while the draft resolution on which we will soon vote again addresses those principles, there are additional elements that object to the primary embargo of Cuba by the United States, something upon which Canada has never commented. For that reason, Canada will

abstain. Our abstention does not signal a weakening of our opposition to inappropriate attempts to assert extraterritorial jurisdiction.

Mr. VAN DUNEM "MBINDA" (Angola): On behalf of my Government, my delegation would like to join previous speakers to speak on the item under discussion concerning the three decades of United States embargo against Cuba.

The end of the cold war constituted for all peoples a reason for hope in the new climate in international relations characterized by *détente*, cooperation, development and respect for the right of peoples freely to choose their own destiny. This hope has been consistently disappointed by factors contrary to the norms of coexistence among peoples, such as the United States imposition of an economic and financial embargo against Cuba. The imposition of this embargo is contrary to international law and the principles enshrined in the United Nations Charter, which emphasize the need for Members to refrain from adopting measures that would impair trade relations between States.

It is within this framework that my country, at the forty-seventh session of the General Assembly, supported the adoption of resolution 47/19 on the necessity of ending the economic, commercial and financial embargo imposed against Cuba, which clearly indicates the rejection of that embargo by the international community. The passage of the so-called Torricelli Act, aimed at stiffening the embargo and making other countries enforce it, not only interferes with the sovereignty of other countries but also with the freedom of navigation and international free trade.

My Government learned with great concern that, during 1993, further measures were adopted to reinforce the embargo in its extraterritorial character. This embargo, which has lasted for more than 30 years, has caused losses in excess of $40 billion, had negative consequences for the economic and social development of Cuba, and increasingly eroded the living conditions of its people, which is being gradually deprived of the most basic means of subsistence.

The repercussions of this embargo in the life of the population of Cuba are enormous. The embargo has forced Cuba to seek trading partners elsewhere and new markets for export products, incurring greater promotional and sales expenses of billions of United States dollars. Another example of how the increase of imports from abroad has led to the suffering of Cuba regards foreign vessels and sporting goods to or from Cuba. The increase in transport, freight and insurance costs amount to $6,207 million. According to the estimate given us, as a result of this chaotic situation the Cuban external debt is calculated at $70 billion. In telecommunications alone, Cuba pays $112 million.

These are just some examples of the difficult situation being experienced by the people of Cuba. It goes without saying that this financial situation as a whole has had severe repercussions on the development of Cuba's economy, and particularly on Cubans and their standard of living. We shall not touch upon the scarcities, resulting from the embargo, that affect the most important domains of health care, medicines, food, medical and non-medical equipment, the transfer of technology and supplies of other essential resources and commodities.

I should like to recall the words of Mr. Ben Gurirab, Foreign Minister of the Republic of Namibia, when he told the Assembly during this session that it was time for the conflict opposing the United States and Cuba to be resolved, and for the embargo to be brought to an end.

My delegation therefore favours a draft resolution calling for the lifting of the embargo, and hopes that, through frank and open dialogue, based on mutual respect and sovereign equality, it will be possible to reach a solution to this long conflict between the two States.

Mr. CHEN Jian (China) *(interpretation from Chinese):* The end of the cold war has further increased the ardent aspirations of the world's people for world peace and has heightened their urgent demand for the establishment of a new international order. But at the same time there are repeated instances of the use of power politics in international relations. The economic oppression and intervention against Cuba is one example, which we deplore.

We have always believed that it is a country's sovereign right to choose its own social system and path of development in line with its own national conditions; this is a right which no other country may infringe.

Countries around the world should treat each other on the basis of equality and mutual respect, and any problems that arise in inter-State relations should be settled through dialogue and negotiation, in accordance with the United Nations Charter and the norms of international law. Hegemonistic attempts to impose one's own views on others, intervene in matters which lie purely within the domestic jurisdiction of other countries and even wilfully to exert pressure on and impose economic embargoes and sanctions against other sovereign States under one's own domestic law serve nobody's interests. Instead of helping achieve a settlement of the problem concerned, they further complicate the matter.

Resolution 47/19 reiterated principles such as the sovereign equality of States, non-intervention and non-interference in other countries' internal affairs, and freedom of trade and international navigation, and called on all countries to fulfil their commitments and obligations and observe these principles and international law. This reflected the just aspiration of the international community.

Like many other Member States, we hope that countries that have implemented laws and adopted measures that run counter to those principles will take the necessary action to repeal them and instead engage in normal economic and trade activities between States.

In view of these considerations, the Chinese delegation will vote in favour of draft resolution A/48/L.14/Rev.1.

The PRESIDENT: The Assembly will now take a decision on draft resolution A/48/L.14/Rev.1.

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Andorra, Angola, Australia, Austria, Azerbaijan, Bahamas, Barbados, Belgium, Belize, Benin, Bolivia, Brazil, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, Dominica, Dominican Republic, Ecuador, France, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malaysia, Mali, Mauritania, Mexico, Monaco, Myanmar, Namibia, New Zealand, Niger, Nigeria, Norway, Pakistan, Papua New Guinea, Peru, Philippines, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Spain, Sudan, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zaire, Zambia, Zimbabwe.

Against: Albania, Israel, Paraguay, United States of America.

Abstaining: Antigua and Barbuda, Argentina, Armenia, Bangladesh, Belarus, Bhutan, Botswana, Brunei Darussalam, Bulgaria, Canada, Chad, Côte d'Ivoire, Cyprus, Czech Republic, Denmark, Estonia, Ethiopia, Fiji, Finland, Germany, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Kuwait, Latvia, Luxembourg, Malawi, Maldives, Malta, Marshall Islands, Micronesia (Federated States of), Mozambique, Nepal, Netherlands, Nicaragua, Panama, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, Singapore, Slovakia, Slovenia, Sri Lanka, Suriname, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland.

Draft resolution A/48/L.14/Rev.1 was adopted by 88 votes to 4, with 57 abstentions (resolution 48/16).

The PRESIDENT: I shall now call on those representatives who wish to explain their votes. I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. LADSOUS (France) *(interpretation from French)*: The delegation of France voted in favour of the draft resolution just adopted by the General Assembly. That vote should in no way be regarded as support for the political regime in Havana. France condemns the frequent violations of human rights in Cuba, where the authorities reject democratic and pluralistic changes although those values are recognized throughout the American continent. Through its economic policies, Cuba is to a great extent responsible for the gravely deteriorating situation in the country, which causes great suffering to its population.

Like its partners in the European Community, France believes that Cuba should, as soon as possible, go through a peaceful transition towards democracy so that the Cuban people can decide on their own Government in all sovereignty. However, France voted in favour of the draft resolution because we believe there should be respect by all for the general principles of international law, the freedom of international trade and navigation, and the sovereignty of States. In applying national legislation in an extraterritorial manner, the United States of America is violating these principles. Nothing can justify the international community's having to accept the consequences of unilateral decisions by the United States relating to bilateral relations between Cuba and the United States.

Mr. OSVALD (Sweden): Sweden voted in favour of the draft resolution just adopted. The decision to do so was motivated by the Swedish Government's position on the specific instance of legislation applying trade sanctions to Cuba. The Swedish Government is of the view that this kind of legislation with extraterritorial effects is not in conformity with the basic principles of international law.

Our affirmative vote on this resolution should not be construed as condoning the human-rights situation in Cuba, but we are not convinced that a policy of embargo against Cuba is conducive to achieving improvements in that situation. Sweden remains seriously concerned at the Cuban Government's systematic violations of certain basic human rights. We strongly urge the Government of Cuba to respect its international commitments in this regard and to cooperate with the Special Rapporteur appointed by the United Nations Commission on Human Rights. Sweden intends to revert to this issue under the appropriate item on the agenda.

Mr. MARRERO (United States of America): The United States could not vote in favour of the draft resolution introduced under agenda item 30. There is nothing the United States would like more than to see Cuba's doors opened fully to economic and political freedom, to see its prison gates swung wide to free political dissidents and to see all Cuban citizens free to speak their minds without fear of reprisal. That is our hope and our goal, and that is the goal of our embargo. Our embargo policy has not changed in more than 30 years because repression in Cuba has not changed. And it is because Cuba's repressive regime has not changed that the United States had to oppose this draft resolution.

Last year, the Castro regime cited its victory before this body as a triumph for the revolution. Members who voted for the Cuban draft resolution then probably did not intend for their votes to be distorted and construed as support for a repressive dictatorship, but that is exactly how the regime portrayed it. Unhappily, the Cuban claim of victory gave the regime an excuse not to move any closer to democracy.

We maintain our comprehensive economic embargo against Cuba in order to maintain pressure on the regime to restore freedom and democracy. If we were to alter our policy now, what then? Could we expect any corresponding changes in Cuba's political outlook? The Castro regime has frequently stated that it does not intend to change, and that this is the will of the Cuban people. But how can the will of the people be known in a country where freedom of speech is not permitted, where dissidents and other "counter-revolutionaries" are jailed, and where there are no free elections and no free press?

The United States continues the embargo because we believe we have a political and economic right to exclude as trading partners those who violate fundamental human rights and who demonstrate little respect for human dignity and the worth of the individual.

Our citizens oppose repression. Ours is a nation composed of many immigrants who fled the countries of their birth in search of freedom and democracy. These citizens are the backbone of our country. They give our nation diversity, and they give our nation strength. We have a duty to uphold the principles that led these people to our shores.

Many of our citizens have relatives still in Cuba. We learn from them of the deplorable conditions resulting from the bankrupt Government policies. These are the people we want to help. We keep pressure on the Government so that some day they may be free. At the same time, we encourage our citizens to assist them through licensed humanitarian donations and gifts of food, medicine and other necessities. We encourage our people to communicate with the people of Cuba, and, with that goal in mind, we are seeking improved telecommunications with the island.

For those reasons, the United States was unable to vote for the draft resolution.

Mr. FUKUSHIMA (Japan): I have asked to speak in order to place on record Japan's position in abstaining in the vote on the draft resolution contained in document A/48/L.14/Rev.1.

As it indicated last year, Japan has some doubts as to whether a discussion at the United Nations General Assembly can actually be conducive to resolving in a constructive manner the question of the United States embargo against Cuba. This question is very complex in nature, and Japan wonders if the resolution which has just been adopted can, in fact, properly address such complexity. If not, the question will remain unresolved until a better way is found to arrive at an appropriate solution.

Mr. RICARDES (Argentina) *(interpretation from Spanish):* My delegation abstained in the vote on the draft resolution contained in document A/48/L.14/Rev.1 because, although it shares the principles embodied in the draft resolution, it cannot agree that the draft resolution's title should single out a particular Member State or that the measures unilaterally adopted can be described as a blockade.

At the same time, my delegation reaffirms its position of principle, and, in connection with the item before us, it concurs with the statement in the Final Document of the third Ibero-American Summit of Heads of State and Government, held in Salvador, Brazil, on 15 and 16 July this year, that:

"We note the resolutions recently adopted in international forums on the need to eliminate the unilateral application of economic and trade measures by one State against another for political purposes". *(A/48/291, annex, para. 68)*

Mr. KEATING (New Zealand): New Zealand has voted for this resolution, but we have taken this position with some reservations.

We are not attracted to the modifications which have been made to the text from last year. We gave our support to the resolution because we do think that there is an important underlying principle at stake with direct implications for economic and trading interests. In particular, we think that all countries must be able to go about their ordinary trade and commercial business free from the extraterritorial reach of legislation imposed unilaterally by third countries.

We have to emphasize, however, that our vote is not to be interpreted in any way as support for the policies and practices of Cuba. Our action in casting an affirmative vote for this resolution is due solely to our concern over the principle at stake.

Mr. MATIN (Pakistan): Pakistan has voted in favour of the resolution just adopted by the General Assembly. However, we have reservations on the sixth preambular paragraph. If it had been put to the vote separately, we would have abstained on this paragraph.

Mr. SANDOVAL (Paraguay) *(interpretation from Spanish)*: On explicit instructions from my capital, my delegation voted against the draft resolution. Paraguay remains faithful to its international principles and wishes to place on record its total humanitarian support for the people of the fraternal country of Cuba. We also express our unswerving solidarity with the children, women and the elderly, and with the people of Cuba in general, who are suffering from the present terrible situation.

Mr. HUSLID (Norway): Norway to a large extent shares the same objectives the United States is seeking to advance in relation to Cuba. However, we believe that those objectives should now be pursued by other means. The Norwegian Government distinguishes as a matter of principle between sanctions authorized by the international community and sanctions adopted by individual States. Only those sanctions that have been duly enacted by the international community through United Nations decisions are fully legitimate and have a right to international endorsement. For its part, Norway has traditionally disagreed with the application of national jurisdiction outside the territory of individual States.

At the same time, the Norwegian Government strongly deplores the violations of human rights and the lack of democratic rights that still characterize the situation in Cuba. The experience we have gained in Europe, however, indicates that it would not be appropriate to isolate Cuba. Emphasis should instead be placed on involving Cuba in greater cooperation with a view to bringing about changes in the internal situation that could contribute to respect for human rights and democratic processes.

In voting in favour of the draft resolution, our intention was to seek change through contact. This should not be interpreted as support for the policies the Government of Cuba has pursued to date.

Mr. CASSAR (Malta): Malta abstained in the vote on draft resolution A/48/L.14/Rev.1. It is the sincere hope of my country that a solution to this issue will be found in the spirit of the Charter of the United Nations, and through the settlement process envisaged in that document.

The PRESIDENT: May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 30?

It was so decided.

AGENDA ITEM 170 *(continued)*

THE SITUATION IN BURUNDI (A/48/L.16)

Mr. NYAKYI (United Republic of Tanzania): The Tanzania delegation welcomes the addition of the item "The situation in Burundi" to the agenda of the General Assembly, for two reasons.

First, as a neighbouring State my country has a direct interest in what happens in Burundi, just as Burundi has a direct interest in what happens in Tanzania. A coup in Burundi inevitably leads to the exodus of refugees across our common border of approximately 400 kilometres.

Secondly, the coup that took place in Burundi on 21 October 1993 is so out of step with the democratic process on the march everywhere on the continent that Africa must use every opportunity to condemn it and its attendant murder and violence in order to deter other selfish and unscrupulous people on the continent who may be tempted to embark on a similar criminal adventure.

The debate is also a recognition and an acknowledgement by the international community of the gravity of the situation in Burundi. Few if any *coups d'état* in Africa have been greeted with the almost universal rejection and condemnation that have greeted the

violent overthrow of the democratically elected Government of Burundi on 21 October. This international act of solidarity with the people of Burundi is very reassuring as they struggle to pull their country back from the brink of the devastating ethnic conflict that is now threatening to engulf the country.

Like Latin America, the continent of Africa has been notorious for its acceptance of or acquiescence in the violent overthrow of democratically elected Governments on the continent. We have almost lost count of the number of coups that have taken place on the continent since the early 1960s, when most African countries gained their independence. Until now, few African countries could bring themselves to condemn these assaults on the will of the African people. The majority seemed to be more content with preserving the principle we all cherish - of non-interference in the internal affairs of States - than with upholding the will of the people.

The nearly universal condemnation of the coup in Burundi by virtually all African countries is a refreshing recognition by Africa that supporting and upholding the will of the African people and vigorously defending the principle of non-interference in the internal affairs of States are not irreconcilable.

The Organization of African Unity (OAU) is to be commended for taking the lead. Its central organ of the mechanism for the prevention, management and resolution of conflict lost no time in swiftly condemning the coup, calling on those responsible to put an end to their illegal act, to respect life, to restore the democratically elected Government and to return to barracks.

Here at the United Nations, the whole of Africa - whether at the level of the African Group, of Burundi's neighbours in the subregion or of Africa's representatives on the Security Council - acted in concert to secure the international community's condemnation of the heinous crime committed against the Government and the people of Burundi by what has now turned out to be a group of power-hungry self-seekers who were prepared to murder in cold blood the President and other national leaders in order to stop the democratic process. Africa's unprecedented revulsion at this crime helped forge a consensus that enabled the Security Council to move swiftly to issue a presidential statement reaffirming Africa's condemnation of the crime.

Today's debate in the General Assembly enables the wider international community to follow up the action of the Security Council. The international community now has to follow up the Council's condemnation with concrete measures to assist in the efforts to return the situation to normalcy and to provide emergency assistance to the internally displaced population and to the population that has been compelled by the uncontrolled campaign of violence and murder to seek refuge in neighbouring countries.

Urgent action is required in two important areas, the first of which is that of security. Although the coup has collapsed, thanks to universal rejection, total condemnation and the heroic resistance of the population, the violence it unleashed continues to plague the country. There are disturbing stories of uncontrolled violence in several parts of the country, particularly in the rural areas, which has resulted in the massacre of many people, including innocent civilians. Unless the violence is stopped forthwith, there is a real danger of a full-scale civil war breaking out between the two major ethnic groups that make up the great majority of Burundi's population.

There is also the urgent need to create an atmosphere of security in the country, particularly in the capital, Bujumbura, in order to enable the remaining members of the legitimate Government to reassert their authority over the country. Only a neutral external force will be able to inspire the kind of confidence and trust that are necessary for the return of peace and normalcy to the country.

At their recent Summit Meeting in Kigali, Rwanda, the leaders of Rwanda, Tanzania and Zaire and the Organization of African Unity (OAU) called for the establishment of an international force for stabilization and confidence-building and asked the Secretary-General of the United Nations, in cooperation with the Secretary-General of the OAU, to establish it. The leaders expressed their countries' readiness to participate in such a force. My delegation urges the United Nations to take up the proposal and pledges its full support for any efforts designed to follow it up in the appropriate forums of our Organization.

The coup and the resulting conflict have already led to the massacre of many people, the displacement of many more and a massive number of refugees crossing borders into neighbouring countries. The second and most urgent area of attention is therefore the mobilization of emergency relief assistance and support for the internally displaced and refugee population.

As I indicated at the beginning of my statement, even if it wanted to stay out of the conflict in Burundi, Tanzania could not afford to do so. The ties of history, culture and geography linking the two countries, not to mention the imperatives of good-neighbourly cooperation, make it virtually impossible for us to remain aloof from developments in Burundi. Every conflict in Burundi has resulted in a large number of refugees from Burundi

seeking asylum in Tanzania. This happened during the conflicts in 1965, 1969, 1972, 1988 and 1991. The vast majority of the estimated 180,000 to 240,000 refugees from Burundi seeking asylum in neighbouring countries are in Tanzania. The present conflict has already forced nearly 300,000 people from Burundi to seek asylum in Tanzania, and the number is rising daily. As always, the people of Tanzania in the areas bordering Burundi have responded magnificently to the emergency. For example, one village with a normal population of 4,000 now has a population of over 20,000. Their need for outside support and assistance is obvious. The Government of Tanzania would like to thank the donor community, and especially the Office of the United Nations High Commissioner for Refugees, for its support. We are confident that, as it continues to mobilize more assistance for the emergency in Burundi, it will continue to remember the needs of people of Burundi living in exile outside their country.

We cannot find strong enough language to condemn the misguided attempt to roll back the democratic gains endorsed by the people of Burundi in the June elections. All of us have a duty to condemn the cowardly murder of the President and other leaders and to support the right of the Government to bring to justice those responsible for these despicable acts. The legitimate Government must be restored forthwith, and the army must return to barracks.

What happened in Burundi on 21 October 1993 was a great tragedy for Burundi and a great setback for the cause of democracy and reconciliation in Burundi, Africa and, indeed, the world. The draft resolution we are about to adopt, which my delegation fully supports, will send the perpetrators of the crime the loud and clear message that they have set themselves up against the whole of the international community.

Mr. MUMBENGEGWI (Zimbabwe): Let me begin, Mr. President, by thanking you for giving the General Assembly the opportunity last Friday, 29 October, to pay homage and tribute to the late President of Burundi, Melchior Ndadaye.

It is almost two weeks now since we received the news of the tragic events of 21 October 1993 in Burundi. Ever since that date, our condemnation of the attempted coup in that country has been unequivocal. We are gratified that relief agencies have responded quickly to the immediate humanitarian needs of the people of Burundi.

The international community's concern over developments in Burundi is clearly illustrated by the United Nations Secretary-General's dispatch of a special envoy to that country and by the efforts of the Secretary-General of the Organization of African Unity (OAU) to consult with neighbouring Heads of State on the events there. It is our hope that the combined efforts of the OAU and the United Nations will put into place a viable mechanism for the speedy restoration of the authority of the legitimate Government in Burundi. To that end, Zimbabwe fully supports the decision of the Regional Summit held in Kigali on 28 October 1993 that an international force for stabilization and confidence-building be set up by the United Nations, in close cooperation with the Organization of African Unity, as requested by the legitimate Government of Burundi.

The present intolerable reality is that the democratic process in Burundi remains unjustifiably interrupted. This state of affairs should not be allowed to continue. Every effort should be made to stop any further loss of human life, and any further displacement of people within the country, as well as the continuing flow of refugees to neighbouring countries.

We therefore call upon the international community to redouble its efforts and initiatives aimed at achieving nothing less than the immediate restoration of democracy and constitutional government in Burundi, and the immediate and unconditional return of the military to barracks.

The draft resolution before the Assembly constitutes an important stepping stone for the international community in its efforts to support the people of Burundi, and the democratic process in that country. It therefore deserves our fullest support.

Mr. JESUS (Cape Verde): The people of Burundi made their clear choice in recent elections by voting into power the first democratic Government in the history of that country. Their hopes of living in a free and democratic country were shattered by the military *coup d'état*, in total disregard for their free will.

The recent events in Burundi that led to the assassination of President Ndadaye and other members of the Government of that country provoked world-wide outrage and condemnation. The Security Council also, at the request of its African members, took immediate action and condemned the coup.

This violent action against the newly established democracy in Burundi is a threat to all of us at a time when there is world-wide recognition of the need to respect the free will of peoples in determining their destiny and deciding the shape and form of their government. We hope that the episode of Burundi is an isolated incident in the democratization process in Africa, and that it is the last

gasp of an era in which *coups d'état* seem to have been the usual procedure to attain power in our continent.

However, like the rest of the world, Africa has changed, and the prompt and unequivocal response by the Organization of African Unity (OAU) and its members against the *coup d'état* in Burundi is a clear demonstration of this fundamental change in attitude.

As a newly established democracy itself, Cape Verde could not but condemn the *coup d'état* staged against the newborn democracy in that sister country, and joined other members of the Security Council in requesting the immediate reinstitution of the democratically elected Government.

We also condemned the violence used by the plotters to attain their goals. We believe, as does the Security Council, that those found to have caused the deaths of the government officials of Burundi should be brought to justice.

The power vacuum created by the coup spawns conditions for an increase in violence which threatens to spread throughout the country. It becomes imperative, therefore, that conditions be created to allow the remaining members of the elected Government of Burundi immediately to take charge of the country. In this context, the immediate and concrete assistance of the OAU and the United Nations seems to be of the essence.

We express our condolences to the people of Burundi and to the family members of President Ndadaye and all those that have fallen in Burundi for democracy.

Mr. ELARABY (Egypt) *(interpretation from Arabic)*: The delegation of Egypt is deeply saddened by the deplorable events that have taken place in Burundi. The Egyptian Government has followed closely, at the highest level, the regrettable developments in that country. President Mubarak, in his capacity as the current Chairman of the Organization of African Unity (OAU), has voiced deep concern over the consequences arising from those developments and the threats they pose to the safety and security of the people of Burundi and to the democratic process there in the country. Such threats complicate further the problems of Africa.

The official statement of 22 October 1993 by the Ministry for Foreign Affairs of Egypt condemns the bloody *coup d'état* which claimed the lives of many citizens and high-ranking officials in Burundi. The President of the Security Council was immediately contacted on the instructions of the Chairman of the Organization of African Unity to convey the deep concern of Egypt and the whole of Africa and request the Council to conduct the necessary consultations in order to contain the situation and address its consequences in conformity with the United Nations Charter. The aim is to preserve the integrity of that State, ensure the safety of its people and uphold the principles of democracy.

As is known, the Security Council has issued a presidential statement in which it condemned the setback to the democratic process in Burundi and called on the perpetrators of the *coup d'état* to lay down their arms and return to their barracks.

At the African level, the central mechanism for the prevention, management and resolution of disputes in the OAU has issued a statement in which it declared the bloody *coup d'état* to be a setback not only for Burundi but also for the entire African continent.

The African Group in New York also has issued a statement condemning the cowardly assassination of President Ndadaye and the other officials who were killed in the coup and considered it to be a serious threat. The President of Rwanda also called a regional summit at Kigali in which a number of African officials participated, including a high-ranking Egyptian envoy representing the current Chairman of the OAU.

The mini-Kigali summit discussed the situation and views were exchanged in order to explore the ways and means whereby assistance may be provided to the people of Burundi in its efforts to restore peace and security and ensure the return to power of the legitimate Government in Burundi that was democratically elected last June.

We in Africa are extremely concerned over the events in Burundi. Burundi was one of the countries that made a speedy move, in an exemplary fashion, towards a healthy climate of democracy. It is indeed unfortunate that that leap forward has suffered such a setback because of the *coup d'état* that claimed the lives of the President and Vice-President and thus created a vacuum in the higher echelon of leadership.

The coup also contains the seeds of rebellion and ethnic strife. These, as we all know, are ominous signs of much more serious consequences that may not be limited to Burundi but may overspill beyond its borders through the massive displacement of refugees that may ensue and affect the whole region.

The international community, having condemned the *coup d'état* attempt, must now act, through the General Assembly, and take prompt action to deal with the deplorable situation in Burundi. The General Assembly

should adopt the draft resolution submitted by the Chairman of the Group of African States and thereby declare its solidarity with the people of Burundi, underscore the need to respect democratic institutions and provide humanitarian assistance to the population of that country.

The PRESIDENT: In accordance with the provisions of General Assembly resolution 2011 (XX), of 11 October 1965, I now call upon the Observer for the Organization of African Unity.

Mr. SY (Organization of African Unity) *(interpretation from French):* The tragic events that plunged Burundi into mourning on 21 October 1993 are for so many reasons a subject of grave concern to the Organization of African Unity (OAU). A Head of State who was elected barely five months ago in a completely democratic manner, and who, moreover, embodied a whole people's hopes for reconciliation, understanding and progress, was brutally assassinated by the perpetrators of the putsch, blinded by their hatred for democracy.

Democratic institutions freely chosen by a people have been paralysed by a military clique which believes that it can halt the democratic process by physically eliminating the representatives of the people.

Lastly, we are confronted with a situation in which the putschists' violent deeds are exacerbating ethnic intolerance and sectarianism and provoking reprisals and other widespread violations of human rights, threatening to destroy the social fabric completely. These facts are very serious indeed. For this reason, on 22 October 1993 the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resoiution expressed its grave concern at the alarming situation created by the military *coup d'état* against a democratically elected President, and strongly emphasized that the coup represents a step backward for Burundi and a grave assault on the cause of democracy, not only in that country but in all of Africa. The Central Organ condemned that act, which is all the more reprehensible in that only four months ago the Heads of State and Government of the States members of the Organization of African Unity, in their Declaration at Cairo on the occasion of the thirtieth anniversary of the organization, had stated:

> "... we undertake to promote the rights and freedoms of our peoples and to enhance the democratic values, ideals and institutions of our States in cultural, social, linguistic and religious diversity". *(A/48/322, annex II, para. 12)*

The actions of President Ndadaye were merely the translation of that profession of faith into deeds. The putsch of 21 October 1993 was therefore a serious challenge to the new Africa that the OAU and the African States are trying to build. Our stand reflects not only the condemnation of assassination as a means of gaining power but also and above all our conviction that democracy is an authentically African value that must be nourished and protected if we are not to turn our back on progress.

In this connection the African countries have been heartened to note that their feelings and views are widely shared by the international community. Thus, the Security Council strongly condemned the acts of violence by the perpetrators of the coup and expressed deep regret at the loss of life that had resulted. The Council also demanded that the perpetrators of the *coup d'état* cease all their acts of violence, release all prisoners, return to their barracks and put an immediate end to their illegal act, with a view to the immediate reinstitution of democracy and constitutional rule in Burundi *(S/PV.3297, pp. 3 and 4)*.

Only a week ago the President of the Security Council read out the statement by which I have just referred, but the situation on the ground has improved only slightly. True, the *coup d'état* has failed, but the members of the country's legal Government are still not in a position to ensure the normal functioning of public institutions.

The resultant atmosphere of insecurity is a major impediment, and Burundi finds itself in the dangerous situation of a country whose Government is paralysed. If this situation is allowed to continue the climate of violence and insecurity may worsen. We have all the more reason to fear such an eventuality given the news we have received of acts of intimidation and summary executions being carried out in the countryside, frequently by military personnel.

Such events have given rise to a massive flow of refugees - the figure of 600,000 has been quoted - to neighbouring countries. These refugees, as well as the populations receiving them, require urgent assistance from the international community. Their number is likely to grow as long as the threat from rebel bands of soldiers persists. This is why the summit meeting held by three neighbouring countries at Kigali on 28 October 1993 stressed the urgent need to establish a stabilization force with the mandate of building trust and restoring security in the country.

That stabilization force will be made up of forces from neighbouring African countries, but it will still need the support of the international community, and in

particular the United Nations, if it is to be rapidly dispatched to Burundi.

The Organization of African Unity supports the dispatch of such a force and hopes that the Security Council will rapidly address the question in order to decide how the United Nations can concretely support such a force. This decision is the more pressing in that it is essential that the massacre of innocent civilians be ended as quickly as possible. Any temporization could have incalculable consequences for the peace and security of a region that has only just emerged from another painful fratricidal conflict.

For his part, the Secretary-General of the OAU, Mr. Salim Ahmed Salim, went to Burundi last week to assist in promoting the return to constitutional order. In addition, two days ago he dispatched to the country a high-level delegation led by his Special Envoy for Burundi. That mission will be entrusted with pursuing the discussions begun by Mr. Salim with a view to finding a rapid and lasting solution to the crisis in Burundi.

The failure of the putsch in Burundi has shown that democracy has taken deep root in African soil. The overwhelming majority of the people of Burundi have opposed the criminal acts of a few sectarian rebel groups. That courageous opposition, which fills us with optimism for the future of the democratic movement in that country, must be energetically supported by the international community if it wants to avoid seeing old wounds reopened, the national unity so laboriously fashioned undone, and the foundations of democracy undermined. Our action in coming days will be decisive not only for the future of Burundi but for the future of democracy. We must demonstrate that it is no longer possible to go backwards, that the era of *coups d'état* is over and that political assassination is intolerable. We must demonstrate that the other democracies are capable of acting together to assist one that is being threatened or under serious attack.

Let us demonstrate that the future of democracy in Latin America, in Eastern Europe or in Africa is dear to us and that we are prepared to show the same concern everywhere. It is now or never.

The PRESIDENT: The representative of Algeria has asked to make a statement with regard to draft resolution A/48/L.16, and I now call upon him.

Mr. LAMAMRA (Algeria) *(interpretation from French)*: I should like to make three comments.

First, on behalf of the Group of African States I should like to thank all the delegations that have participated in this debate and those that will show that they share the same views and feelings by joining in the consensus adoption of draft resolution A/48/L.16.

Secondly, I should like, for the record, to say that Algeria's sponsorship of the draft resolution introduced by Burundi is on behalf of all delegations of the African Group.

Thirdly, I should like, with the consent of the delegation of Burundi, and following consultations, to propose a small oral amendment to the fourth preambular paragraph of the draft resolution. This will not in any way affect the objective of the text. I propose the addition, at the end of the paragraph, of the following:

"with significant regional repercussions,".

The paragraph would then read as follows:

> "Seriously disturbed by the tragic consequences of the *coup d'état* which is plunging Burundi into violence and causing loss of life and mass displacement of the population, with significant regional repercussions,".

The PRESIDENT: We shall now proceed to take a decision on draft resolution A/48/L.16.

I call on the representative of Tunisia for an explanation of position.

May I remind representatives that, in accordance with General Assembly decision 34/401, explanations are limited to 10 minutes and should be made by delegations from their seats.

Mr. ABDELLAH (Tunisia) *(interpretation from French)*: The events that have brought bloodshed to Burundi and have involved the overthrow of the legitimate, democratically elected President of that country have caused great concern in my country and throughout the international community. Tunisia, as a member of the Organization of African Unity (OAU), responded immediately to this criminal action. We issued a declaration reflecting our concern and condemning the *coup d'état*, which is prejudicial to Burundi's progress towards peace and development.

Tunisia is committed to the principles of democracy, and it respects the will of peoples to order their own affairs through democratic institutions. Tunisia has strongly condemned the putsch, which undermines the democratic process in this neighbouring African country - a process marked by the free and honest presidential elections of last

June, which were monitored by foreign observers under the auspices of the OAU.

Faith and resolve were invested in the efforts to establish in Burundi a national covenant rising above tribal attitudes, to facilitate action in the higher interests of the country. Tunisia believes that the entire international community must demonstrate solidarity with this fraternal country by providing emergency humanitarian aid for the people who are affected.

Tunisia endorses the draft resolution, with the amendment proposed by the Ambassador of Algeria as Chairman of the African Group. We appeal to all delegations to demonstrate good will with a view to securing the restoration of constitutional legitimacy.

The PRESIDENT: Before the Assembly takes a decision on draft resolution A/48/L.16 I should like to announce that Haiti has become a sponsor of the draft resolution.

May I take it that the Assembly decides to adopt the draft resolution as orally revised by consensus?

Draft resolution A/48/L.16, as orally revised, was adopted (resolution 48/17).

The PRESIDENT: I call on the representative of Mexico for an explanation of position.

May I remind representatives that, in accordance with General Assembly decision 34/401, explanations are limited to 10 minutes and should be made by delegations from their seats.

Mr. TELLO (Mexico) *(interpretation from Spanish):* My delegation joined in the consensus on this matter because we believe that what has happened in Burundi is reprehensible in all respects. However, we have our doubts as to the General Assembly's competence to make a judgement such as that incorporated in the resolution. Mexico maintains that it is incumbent solely on the people of Burundi to find the path to democracy and proper institutional government.

The PRESIDENT: We have thus concluded this stage of our consideration of agenda item 170.

The meeting rose at 12.55 p.m.